

RECORDATION NO. 22750-A FILED

OCT 5 '06 -3 3 8 PM

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SURFACE TRANSPORTATION BOARD

October 5, 2006

Honorable Vernon A. Williams
Secretary
Surface Transportation Board
Washington, DC 20423

Dear Secretary Williams:

I have enclosed for efilng the document described below, to be recorded pursuant to 49 U.S.C. § 11301.

The document is a Partial Termination of Lease Agreement, a secondary document, dated as of September 25, 2006. The primary document to which this is connected is recorded under Recordation No. 22750. We request that one copy of this document be recorded under Recordation No. 22750-A

The names and addresses of the parties to the Partial Termination of Lease Agreement are:

Lessor:

Ontario Northland Transportation Commission
555 Oak Street East
North Bay
Ontario CD P1B 8L3

Lessee:

Norfolk Southern Railway Company
Three Commercial Place
Norfolk VA 23510-9227

A description of the equipment covered by the Partial Termination of Lease Agreement consists of one SD-40-2 locomotive numbered ONT 1731.

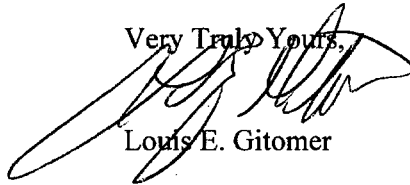
Honorable Vernon A. Williams
October 5, 2006
Page 2

A fee of \$34.00 is enclosed. Please return one copy to:

Louis E. Gitomer
Law Offices of Louis E. Gitomer
600 Baltimore Avenue, Suite 301
Towson, MD 21204

A short summary of the document to appear in the index follows: a Partial Termination of Lease Agreement between Ontario Northland Transportation Commission, 555 Oak Street East, North Bay, Ontario CD P1B 8L3, and Norfolk Southern Railway Company, Three Commercial Place, Norfolk VA 23510-9227, covering one SD-40-2 locomotive numbered ONT 1731.

Very Truly Yours,

A handwritten signature in black ink, appearing to read 'Louis E. Gitomer', is written over the typed name.

Louis E. Gitomer

Enclosure

OCT 5 '06 -3 3 8 PM

SURFACE TRANSPORTATION BOARD

PARTIAL TERMINATION OF LEASE AGREEMENT

September 25,

By this Partial Termination of Lease Agreement dated as of ~~June~~ September 25, 2006 (the "Partial Termination"), Ontario Northland Transportation Commission ("ONT"), as lessor, and Norfolk Southern Railway Company ("NSR"), as lessee, do agree as follows.

1. A Memorandum of Locomotive Lease Agreement dated as of November 12, 1999 (the "Lease") between ONT, as lessor, and NSR, as lessee, was recorded at the Surface Transportation Board on February 9, 2000 under Recordation No. 22750 for four SD-40-2 locomotives numbered ONT 1730, 1731, 1733, and 1736.

NOW, THEREFORE, in consideration of the premises contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged:

1. ONT and NSR do hereby acknowledge and confirm for the public record the satisfaction and release of all rights and obligations arising under the Lease with respect solely to the locomotive numbered ONT 1731, except for such obligations intended to survive termination or expiration of the Lease.

2. This Partial Termination may be executed in any number of counterparts, each executed counterpart constituting an original but all together only on Partial Termination.

IN WITNESS WHEREOF, the ONT and NSR have caused this Partial Termination to be executed as of the date first above written.

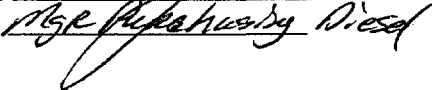
Ontario Northland Transportation Commission,
as Lessor

By: _____

Its: _____

Norfolk Southern Railway Company,
as Lessee

By:  _____

Its:  _____

PARTIAL TERMINATION OF LEASE AGREEMENT

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2. This Partial Termination may be executed in any number of counterparts, each executed counterpart constituting an original but all together only on Partial Termination.

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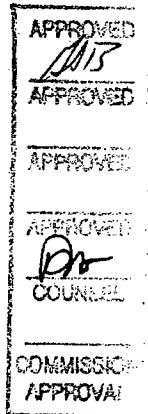
Ontario Northland Transportation Commission,
as Lessor

By: 
S.G. Carmichael - President

By: 
R.M. Thompson - Secretary

Norfolk Southern Railway Company,
as Lessee

By: _____
Its: _____



State of VIRGINIA)
) ss:
County of ROANOKE)

On this 23 day of ~~June~~^{AUGUST}, 2006, before me personally appeared Kenneth JENSEN, to me personally known, who being duly sworn, says that he is Mgr. Purchasing DIESEL of NORFOLK SOUTHERN RAILWAY COMPANY, that said instrument was signed and sealed on behalf of said corporation and that said instrument is the free act and deed of said corporation.


E. J. Barnett

Notary Public

My Commission expires on: JANUARY 31 2007

Province of Ontario)
) ss:
District of Nipissing)

On this 25th day of Sept, 2006, before me personally appeared S.G. Carmichael and R.M. Thompson to me personally known, who being duly sworn, say that they are respectively the President and Secretary of ONTARIO NORTHLAND TRANSPORTATION COMMISSION, that said instrument was signed and sealed on behalf of said corporation and that said instrument is the free act and deed of said corporation.



Dale William Proctor
A Commissioner, etc. District of Nipissing
For Ontario Northland Transportation Commission
Expires February 2, 2007.